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7           UNITED STATES DISTRICT COURT  
8           WESTERN DISTRICT OF WASHINGTON  
9           AT SEATTLE

10           UNITED STATES OF AMERICA,

CASE NO. CR09-0427JLR

11           Plaintiff,

ORDER DENYING MOTION

12           v.

13           MALEEK JAMES,

14           Defendant.

15         This matter comes before the court upon Defendant Maleek James, a/k/a Brian  
16 Womack's, "Motion for Estoppel [sic] by Acquiescence; And readdress [sic]." (Mot.  
17 (Dkt. # 464)). For the reasons stated below, the court DENIES the motion.

18         In his motion, Mr. James states:

19         This court[']s ruling was biased and procedurally flawed.  
20         The ruling was not based on the new claims addressed by  
21         [Mr.] James and did not address the issues [Mr.] James  
22         asserted in his motion to dismiss in 2017. The government  
had the opportunity to refute or disagree with [Mr.] James'  
motion to dismiss as they have done so for the past six years.  
[Mr.] James severed [sic] the district court timely as well as

the government with this motion to dismiss, prior to the ruling by this court. I would pray that this court address[ ] the issues raised in [Mr.] James' motion and not over look them as they did previously. According to the Rule of Law this is a Constitutional Crisis.

(Mot. at 4.)

5 Despite a creative title, the only relief Mr. James requests in the pending motion is  
6 reconsideration of the court's order of August 9, 2017. (9/9/17 order (Dkt. # 463.)) As a  
7 motion seeking reconsideration and reversal of a prior order, it is disfavored. Local Rules  
8 W.D. Wash. LCrR 12(b)(10)(A). Because there is no showing of manifest error or the  
9 existence of new facts or legal authority that could not have been brought to the court's  
10 attention earlier, the court DENIES the motion (Dkt. # 464).

11 Parenthetically the court notes that Mr. James makes a specious argument that the  
12 Government acquiesced in his prior motion by failing to file a response. As a motion  
13 seeking reconsideration, the Government may only file a response upon the court's  
14 request. Local Rules W.D. Wash. LCrR 12(b)(10)(C). The Government was not asked  
15 (see Dkt.), and Mr. James's argument is meritless.

Further meritless motions will result in sanctions against Mr. James.

Dated this 12<sup>th</sup> day of September, 2017.

JAMES L. ROBART  
United States District Judge